

8164

I N S E N A T E

June 24, 2016

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public officers law in relation to the removal of residency as a condition precedent to employment for any political subdivision or municipal corporation of the state or any of its agencies

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative finding and declaration. The legislature hereby
2 finds and declares that there is a substantial state interest in the
3 fair and equitable treatment of public employees throughout the state
4 who are permitted to reside in localities outside the political subdivi-
5 sion or municipal corporation of the state for which they work. That
6 substantial state interest would be furthered by establishing that no
7 employee who resides in a permitted locality be subject to any levy or
8 payment by choosing to reside in such permitted locality. Therefore, the
9 legislature declares the necessity for the enactment of this act to
10 establish that no public employee who becomes a nonresident of a poli-
11 tical subdivision or municipal corporation of the state for which he or
12 she works shall be obligated to make a payment because he or she becomes
13 a nonresident by residing in a locality permitted by state or other
14 applicable law.

15 S 2. Section 3 of the public officers law is amended by adding a new
16 subdivision 65 to read as follows:

17 65. NOTWITHSTANDING THE PROVISIONS OF THIS SECTION OR OF ANY GENERAL,
18 SPECIAL OR LOCAL LAW, CHARTER, CODE, ORDINANCE, RESOLUTION, RULE OR
19 REGULATION TO THE CONTRARY, COMMENCING ON JANUARY FIRST OF THE CALENDAR
20 YEAR AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION, NO EMPLOYEE OF ANY
21 POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION OF THE STATE OR ANY OF
22 ITS AGENCIES THAT RESIDES IN A COUNTY PERMITTED BY THIS SECTION OR ANY
23 OTHER APPLICABLE LAW SHALL BE OBLIGATED TO MAKE ANY PAYMENT OR SATISFY
24 ANY LEVY PURSUANT TO A CONDITION OF EMPLOYMENT, OR AGREEMENT THAT SUCH
25 EMPLOYEE MAY HAVE SIGNED, THAT SUCH EMPLOYEE SHALL PAY ANY AMOUNT IF
26 SUCH EMPLOYEE BECOMES A NONRESIDENT OF THE POLITICAL SUBDIVISION OR
27 MUNICIPAL CORPORATION OF THE STATE.

28 S 3. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD15914-01-6